

ACT 38

S.B. NO 2140-76

A Bill for an Act Relating to Estimate for Motor Vehicle Repair.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 437B-15, Hawaii Revised Statutes, is amended to read as follows:

**“Sec. 437B-15 Estimate for labor and parts.** The motor vehicle repair dealer, mechanic, or apprentice shall give the customer a written estimated price for labor and parts necessary for a specific job prior to commencement of the job.

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Such written estimated price need not be given if waived in writing by the customer. No charge in excess of fifteen per cent of the estimated price, if the estimated price is less than \$100, or ten per cent of the estimated price, if the estimated price is in excess of \$100, shall be charged for parts and labor supplied in excess of the estimated price, without the prior written or oral consent of the customer. Such consent shall be obtained at some time after it is determined that the estimated price is insufficient and before the labor not estimated is performed or the parts not estimated are supplied. This provision may be waived in writing by the customer, provided that such waiver by its terms shall be effective only after the dealer or mechanic has made reasonable efforts to contact the customer. The form and content of any waiver shall be as prescribed by rule of the board. Nothing in this section shall be construed as requiring a motor vehicle repair dealer, mechanic, or apprentice to give a written estimated price if the dealer, mechanic, or apprentice does not agree to perform the requested service. A reasonable fee may be charged for making the estimate.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets or the bracketed material or the underscoring.\*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 3, 1976.)

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\*Edited accordingly.